

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) Case No. CR04-0128-MJP-JPD
Plaintiff,)
v.)
DERRICK McTYLER CATLETT,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on February 15, 2006. The United States was represented by Assistant United States Attorney J. Tate London, and the defendant by Mr. Robert W. Goldsmith. The proceedings were recorded on cassette tape.

The defendant had been sentenced on or about November 1, 2004, by the Honorable Marsha J. Pechman on charges of Making, Uttering, and Possessing Counterfeit Securities. Defendant was sentenced to serve 24 months in custody to run concurrently with an undischarged state-court sentence in Orange County Superior Court, with credit for time served from the date defendant entered into California custody on June 20, 2003, to be followed by three years of supervised release.

In addition to the standard conditions of supervised release, which includes compliance with all local, state, and federal laws, special conditions of supervised release were imposed. These special conditions included, but were not limited to, substance-abuse treatment program,

**REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE AS TO ALLEGED
VIOLATIONS OF SUPERVISED RELEASE
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01 no firearm possession, consent to search, no new credit charges, no possession of identification
02 other than in his legal name, financial disclosure, and restitution.

03 In a Petition for Warrant of Summons and a Violation Report, both dated October 25,
04 2005, U.S. Probation Officer Margaret K. Kellow asserted the following violations of the
05 conditions of supervised release by the defendant:

06 (1) Failing to report to the probation office as directed on or about August 23, 2005,
07 in violation of standard condition number 2; and

08 (2) Failing to notify the probation officer at least 10 days prior to any change of
09 residence after August 23, 2005, in violation of standard condition number 6.

10 The defendant admitted to violation number 2, and waived any rights to an evidentiary
11 hearing as to whether it occurred. The defendant denied alleged violation number 1 and
12 requested an evidentiary hearing on the alleged violation.

13 I therefore recommend that the Court find the defendant violated the conditions of
14 supervised release as to violation number 2, and that the Court conduct a hearing limited to the
15 issue of disposition. The disposition hearing will be set before the Honorable Marsha J. Pecham
16 at a date and time to be determined.

17 An evidentiary hearing on violation number 1 has been set before the undersigned
18 Magistrate Judge on Monday, February 27, 2006, at 10:30 a.m.

19 Pending a final determination by the Court, the defendant has been detained..

20 DATED this 16th day of February, 2006.



JAMES P. DONOHUE
United States Magistrate Judge

21 cc: District Judge: Honorable Marsha J. Pechman
22 AUSA: Mr. J. Tate London
23 Defendant's attorney: Mr. Robert W. Goldsmith
24 Probation officer: Ms. Margaret K. Kellow